

## PATENT COOPERATION TREATY

PCT

## NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

United States Patent and Trademark  
Office  
(Box PCT)  
Crystal Plaza 2  
Washington, DC 20231  
ÉTATS-UNIS D'AMÉRIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 02 July 1999 (02.07.99)	
International application No. PCT/US98/23141	Applicant's or agent's file reference 07985/012WO1
International filing date (day/month/year) 30 October 1998 (30.10.98)	Priority date (day/month/year) 31 October 1997 (31.10.97)
Applicant LAUGHARN, James, A., Jr. et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:

20 May 1999 (20.05.99)

☐ in a notice effecting later election filed with the International Bureau on:2. The election ☒ was☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No.: (41-22) 740.14.35	Authorized officer F. Zotomayor Telephone No.: (41-22) 338.83.38
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# INTERNATIONAL SEARCH REPORT

International application No.  
PCT/US98/23141

## A. CLASSIFICATION OF SUBJECT MATTER

IPC(6) : B01L 11/00; B32B 27/04; C07H 1/00; G01N 1/14  
US CL : 422/50, 101, 159, 186.04; 536/ 25.4, 25.41

According to International Patent Classification (IPC) or to both national classification and IPC

## B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 422/50, 101, 159, 186.04; 536/ 25.4, 25.41

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched  
NONE

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

USPATFULL on line  
WPIDS on line  
CAS on line

## C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 4,323,439 A (O'FARRELL) 06 April 1982, see entire document.	1-102
Y	US 5,346,999 A (CATHCART et al.) 13 September 1994, see entire document.	1-102
Y	US 5,605,839 A (SIMPSON et al.) 25 February 1997, see entire document.	1-102

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents:	*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
*A* document defining the general state of the art which is not considered to be of particular relevance	*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
*E* earlier document published on or after the international filing date	*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
*L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*G* document member of the same patent family
*O* document referring to an oral disclosure, use, exhibition or other means	
*P* document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

27 JANUARY 1999

Date of mailing of the international search report

08 FEB 1999

Name and mailing address of the ISA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

JAMES O. WILSON

Telephone No. (703) 308-1235

## PATENT COOPERATION TREATY

## PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 16 NOV 1999

WIPO

PCT

Applicant's or agent's file reference 07985/012WO1	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US98/23141	International filing date (day/month/year) 30 OCTOBER 1998	Priority date (day/month/year) 31 OCTOBER 1997
International Patent Classification (IPC) or national classification and IPC Please See Supplemental Sheet.		
Applicant BBI BIOSEQ, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand  20 MAY 1999	Date of completion of this report  01 OCTOBER 1999
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer  JAMES O. WILSON CV Telephone No. (703) 308-1235
Facsimile No. (703) 305-3230	JOYCE BRIDGERS PARALEGAL SPECIALIST CHEMICAL MATRIX

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/23141

## I. Basis of the report

1. This report has been drawn on the basis of *(Substitute sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments):*

☒ the international application as originally filed.

☒ the description, pages 1-76, as originally filed.

pages NONE, filed with the demand.

pages NONE, filed with the letter of \_\_\_\_\_.

pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the claims, Nos. 1-102, as originally filed.

Nos. NONE, as amended under Article 19.

Nos. NONE, filed with the demand.

Nos. NONE, filed with the letter of \_\_\_\_\_.

Nos. \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

☒ the drawings, sheets/fig 1-8, as originally filed.

sheets/fig NONE, filed with the demand.

sheets/fig NONE, filed with the letter of \_\_\_\_\_.

sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

☒ the description, pages NONE.

☒ the claims, Nos. NONE.

☒ the drawings, sheets/fig NONE.

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the ~~Supplemental Box~~ Additional observations below (Rule 70.2(c)).

4. Additional observations, if necessary:

NONE

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/23141

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. STATEMENT

Novelty (N)

Claims 1-102 YES

Claims NONE NO

Inventive Step (IS)

Claims 1-102 YES

Claims NONE NO

Industrial Applicability (IA)

Claims 1-102 YES

Claims NONE NO

### 2. CITATIONS AND EXPLANATIONS

Claims 1-102 meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest devices or apparatuses similar to the pressure modulation apparatuses and devices instantly claimed, or the use of same in methods for isolating and purifying nucleic acids, permeating cells, inactivating molecules, and lysing or disrupting cells or tissue for the isolation of specific (macro)molecular components thereof.

----- NEW CITATIONS -----

NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/23141

**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

**CLASSIFICATION:**

The International Patent Classification (IPC) and/or the National classification are as listed below:

IPC(6): B01L 11/00; B32B 27/04; C07H 1/00; G01N 1/14 and US Cl.: 422/50, 101, 159, 186.04; 536/25.4, 25.46

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

## PCT

### NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

To: CHARLES J. BOUDREAU  
FISH & RICHARDSON P.C.  
45 ROCKEFELLER PLAZA, SUITE 2800  
NEW YORK, NY 10111

**RECEIVED**

NOV 16 1999

FISH & RICHARDSON, P.C.  
NEW YORK CITY OFFICE

Date of Mailing  
(day/month/year)

**12 NOV 1999**

Applicant's or agent's file reference

07985/012WO1

#### IMPORTANT NOTIFICATION

International application No.

PCT/US98/23141

International filing date (day/month/year)

30 OCTOBER 1998

Priority Date (day/month/year)

31 OCTOBER 1997

Applicant

BBI BIOSEQ, INC.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

#### 4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the date of publication of the international application or later in some Offices (Article 39(1)) (see also the reminder sent by the International Bureau).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

**\* No Docketing Required \***

Reviewed by Classification System

Initials: *WOM*

Reviewed by Filing Secretary

Initials:

Name and mailing address of the IPEA/US  
Commissioner of Patents and Trademarks  
Box PCT  
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

JAMES O. WILSON CV

Telephone No. (703) 308-1235

JOYCE BRIDGERS  
PARALEGAL SPECIALIST  
CHEMICAL MATRX

## PATENT COOPERATION TREATY

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Date of submission of the demand 20 MAY 1999	Date of completion of this report 01 OCTOBER 1999
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer JAMES O. WILSON CV Telephone No. (703) 308-1235 JOYCE BRIDGERS PARALEGAL SPECIALIST CHEMICAL MATRIX <i>JMB</i>



## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US98/23141

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Nos. NONE, as amended under Article 19.

Nos. NONE, filed with the demand.

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Claims NONE NO

Industrial Applicability (IA)

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Claims NONE NO

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INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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Continuation of: Boxes I - VIII

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